

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 17-68

AN ORDINANCE TO AMEND THE TEXT OF ORDINANCE NO. 82-1, "ZONING CODE", TO REPEAL GREENWOOD MUNICIPAL CODE (1993), AS AMENDED, CHAPTER 10, ARTICLE 23 "SIGN CODE", SECTION 10-600 TO SECTION 10-616, AND ADD ARTICLE 24, "SIGN CODE", SECTION 10-700 TO SECTION 10-714, TO THE GREENWOOD MUNICIPAL CODE

WHEREAS, the United States Supreme Court decision in *Reed v. Town of Gilbert* regarding the constitutionality of sign regulations necessitates certain changes to the Sign Regulations of the Greenwood Zoning Code ("Sign Code"), and it is therefore recommended that the Sign Code be revised to comply with the holding of that decision;

WHEREAS, it has been determined that it is more efficient to repeal the Sign Code in its entirety and replace it with a new Sign Code located in a new Article of the Greenwood Municipal Code than it is to amend the existing Sign Code piecemeal;

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter "Commission") conducted a public hearing on the petition for these text amendments to the Sign Code; and

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation (7-0)** regarding said text amendments and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Greenwood Common Council hereby amends Greenwood Common Council Ordinance No. 82-1, entitled "An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, in Accordance with the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana as amended, for the Repeal of all Ordinances in Conflict Herewith", (as amended) to repeal Article 23 and replace it with Article 24 as set forth in attached Exhibit "A", incorporated herein by reference.

Section 2. The Greenwood Common Council hereby repeals Chapter 10, Article 23, Section 10-600 through Section 10-616, "Sign Code", of the Greenwood Municipal Code (1993), as amended, and amends the Greenwood Municipal Code (1993), as amended, by adding Article 24, Section 10-700 through 10-714, "Sign Code", as set forth in attached Exhibit "A", incorporated herein by reference.

Section 3. The Greenwood Plan Commission is hereby authorized to make the above described changes to the text of the Greenwood Zoning Ordinance and to print and file two (2) copies of the amended zoning ordinance in the Office of the Greenwood Clerk-Treasurer to keep on file for public inspection.

Section 4. The sections, paragraphs, sentences, clauses, phrases and words of this ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or


unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 5. This ordinance shall have no effect on existing litigation or causes of action, and shall not operate as an abatement of any action or proceeding now pending or which could be brought as to any changed provision of Ordinance No. 82-1, as amended, or the Greenwood Municipal Code (1993), as amended, by virtue of the ordinances or sections of ordinances or code provisions so amended or repealed and this ordinance is to amend only as provided above and does not affect any other sections of Ordinance 82-1, as amended, or Greenwood Municipal Code (1993), as amended, except to the extent necessary to give this ordinance full force and effect.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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PASSED AND ADOPTED by the Common Council of the City of Greenwood, Indiana,
this 4th day of December, 2017.


Michael Campbell, President
Greenwood Common Council

FOR:


 Linda S. Gibson

 Ezra J. Hill

 Bruce Armstrong

 Ronald Bates

 J. David Hopper

 David Lekse

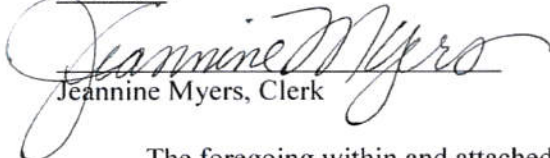
 Michael Campbell

Absent Brent Corey


Charles Landon 

AGAINST:

ATTEST:


Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of December, 2017, is presented by me this 19th day of December, 2017, at 9:30 O'Clock A.M., to the Mayor of the City of Greenwood, Indiana.


Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of December, 2017, is signed and approved by me this 19th day of December, 2017, at 1:30 O'Clock A.M.

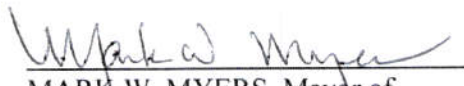

MARK W. MYERS, Mayor of
the City of Greenwood, Indiana

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ARTICLE 24. – SIGN CODE

Sec. 10-700 Purpose, Intent; and Interpretation.

- A. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this Sign Code is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of the health, safety and morals; the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive and harmonious community; protection against destruction of or encroachment on historic convenience to citizens; encouraging economic development; and enhancing the quality of life. This Article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this Article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this Article which can be given effect without the invalid provision.
- B. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of the land or building. Therefore, the intent of this Article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests.
- C. This Article is intended to promote signs that are compatible with the use of the property to which they are appurtenant, the landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- D. This Article does not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City of Greenwood. Rather, it is intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- E. This Article does not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, it strikes an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Section 10-701 Definitions.

Abandoned Sign: A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days.

Animated Sign: A sign depicting action, motion, or light or color changes through electrical or mechanical means.

Awning: A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Awning Sign: Any sign painted on, or applied to, an awning.

Banner: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners, and when fastened or attached has movement caused by movement of the atmosphere. Banners are temporary in nature and do not include flags.

Building Frontage: The maximum linear width of a building measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot.

Canopy: A structure other than an awning made of fabric, metal, or other material that may be supported by columns or posts affixed to the ground and may also be connected to and supported by a building, that provides protection from the elements..

Canopy Sign: Any sign that is part of, or attached to a canopy.

Changeable Copy Sign: A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable copy signs and electronic changeable copy signs, which include: message center signs, digital displays, and Tri-Vision Boards.

Clearance: The distance above the walkway, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

Digital Display: The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

Directional Sign: Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

Foot-candle: A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One (1) footcandle is equal to one (1) lumen per square foot

Freestanding Sign: A sign supported by structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any building or other structure. The following are subtypes of freestanding signs:

Ground Sign: A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

Pole Sign: A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

Government/Regulatory Sign: Any sign for the control of traffic or for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

Illumination: A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

Illuminated Sign: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

Interactive Sign: An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

Luminance: An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/ft²).

Manual Changeable Copy Sign: A sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a sign face.

Marquee: Any permanent, roof-like structure attached to and projecting beyond a building or extending along and projecting along the wall of a building, generally designed and constructed to provide protection from the weather

Message Center Sign: A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text.

Multi-Tenant Sign: A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

Mural (or mural sign): A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, photographs, pictures and/ or symbols.

Nonconforming Sign: A sign that was legally erected and maintained at the effective date of this Article, or amendment thereto, that does not currently comply with sign regulations of the district in which it is located.

Old Town Commercial Historic District: The Old Town Commercial Historic District is the area roughly bound by 172-332 West Main Street and 147-211 South Madison Avenue which was entered in the National Register of Historic Places on June 14, 1991.

Off-Premises Sign: An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located.

On-Premises Sign: A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the sign is located.

Pennant: a triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Permanent Sign: A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

Pole Banner: A banner suspended above an area and attached to a single pole affixed at top and bottom.

Portable Sign: A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure.

Sandwich Board Sign: A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (Also known as A-frame sign)

Vehicular Sign: A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

Projecting Sign: A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall, not to include signs located on a canopy, awning, or marquee.

Reflective Sign: A sign containing any material or device which has the effect of intensifying reflected light, excluding traffic control signs which are required by law to have reflectivity

Roof Sign: A building-mounted sign erected upon, against, or over the roof of a building.

Sign: Any device, structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the sign faces as well as any sign supporting structure.

Sign Area: The total dimensions of a sign surface used to display information, messages, advertising, logos, or symbols.

Sign Face: The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

Sign Height: The vertical dimension of a sign

Sign Supporting Structure: Poles, posts, walls, frames, brackets, or other supports holding a sign in place.

Sight Triangle: The triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended

Snipe Sign: A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner.

Storefront: The exterior facade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment..

Streamers: A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

Street Frontage: The side or sides of a lot abutting on a public street or right-of-way.

Street Pole Banner: A banner suspended above a public sidewalk and attached to a single street pole.

Small Temporary Sign: A type of non-permanent sign with a sign face of no more than four (4) square feet that is located on private property that can be displayed for no more than 30 consecutive days at one time

Large Temporary Sign: A type of non-permanent sign with a sign face between four (4) and thirty-two (32) square feet that is located on private property that can be displayed for no more than 15 consecutive days at one time.

Tri-Vision Boards: An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

Wall Sign: A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A sign installed on a false or mansard roof is also considered a wall sign.

Window Sign: Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

10-702 Prohibited Signs.

Signs are prohibited in all zoning districts unless:

Constructed pursuant to a valid sign permit when required under this Article; and

Authorized under this Article.

24.01.01 The following types of signs are expressly prohibited in all zoning districts:

- 24.01.01.01* Abandoned Signs.
- 24.01.01.02* Animated and intensely lighted signs. No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other device or means not providing constant illumination except as allowed in Section 10-711 below for Digital/Electronic Variable Message (EVMS) Signs.
- 24.01.01.03* Lights and balloons. Search lights, twirling signs, balloons or other gas-filled figures shall be prohibited.
- 24.01.01.04* Off-premise signs. Off-premise signs shall be prohibited with the exception of those allowed in Section 10-707 and Section 10-710, subsection *24.09.02.04*. e., below
- 24.01.01.05* Snipe Signs/Public Areas. No sign shall be permitted which is placed on any curb, sidewalk (excepting Portable Sidewalk/A Frame Signs legally conforming to Section 10-709 below), post, pole, electrolier, hydrant, bridge, tree or other surface located on public property, on public right-of-way or over or across any street or roadway
- 24.01.01.06* Signs that bear or contain statements, words, or pictures of an obscene or pornographic manner.
- 24.01.01.07* Signs that operate or employ any stereopticon or motion picture projection or media, or have visible moving parts, or any portion of which moves or gives the illusion of movement.
- 24.01.01.08* Signs that emit audible sound, odor, or visible matter.

- 24.01.01.09 Signs which, by reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or roadway sign or signal or device;
- 24.01.01.10 Bench Signs. The use of benches as signs shall be prohibited.
- 24.01.01.11 Roof Signs. Signs, mounted letters, painted letters or other types of signs shall be prohibited from placement on a roof or roof deck.
- 24.01.01.12 Pennant strings and streamers.
- 24.01.01.13 Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.
- 24.01.01.14 Reflective signs or signs containing mirrors.
- 24.01.01.15 Interactive signs.
- 24.01.01.16 Signs erected without the permission of the property owner, with the exception of Government/Regulatory signs.
- 24.01.01.17 Signs that promote an illegal activity.
- 24.01.01.18 Vehicle signs. It shall be prohibited to park or use a vehicle in such a way as to function as a sign, defined to include the parking of any vehicle, trailer or similar movable structure containing or supporting any signage between the right-of-way line and any public street and the lesser of two distances: forward of the Front Line of Building of the Principal Building or one hundred-fifty (150) feet from the public right-of-way, with the exception of:
- a. Vehicles actively involved in construction on or serving of the site;
 - b. Vehicles delivering products to the site in designated loading areas;
 - c. Vehicles parked in designated truck parking areas of a development that have been screened from or are not generally visible from the public right-of-way;
 - d. Vehicles parked on sites where parking is not available one hundred-fifty (150) feet or more from the public right-of-way. In such cases, vehicles supporting signage shall be located as far as possible from the public right-of-way;

- e. Passenger vehicles, pick-up trucks, and passenger vans of a size that can fully fit within a standard parking space, containing signs painted on or permanently affixed on the doors or integral body panels.

24.01.01.19 Banners. Banners and pennants shall be prohibited unless utilized as a temporary wall sign or utilized as a Pole Banner Sign. Banners and pennants shall not be used as a freestanding sign or as a component thereof, except in the case of the aforementioned Pole Banner Sign. A banner may be used as a temporary wall sign provided the length of time for which the banner is used shall not exceed ninety (90) days or the date that the permanent wall sign is installed, whichever occurs first. The maximum permitted sign area for a banner shall be twenty-five percent (25%) of that permitted for a wall sign in the underlying zoning district as described in subsequent sections of this Article. A temporary sign permit for the banner shall be required, but does not count against the maximum annual permit limitation for temporary signs set forth in Section 10-708, subsection *24.07.02.01*, below, as it is not a freestanding temporary sign.

Sec. 10-703 Authorized Signs.

The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with all regulations in this Article.

24.02.01 Government/Regulatory signs when erected and maintained pursuant to law.

24.02.02 Traffic control devices on private or public property that must be erected and maintained to comply with the Indiana Manual on Uniform Traffic Control Devices or with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.

24.02.03 Each property owner must mark his/her property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. The size and location of the identifying numerals and letters if any must be proportional to the size of the building and the distance from the street to the building and in no case smaller than four inches in height and no larger than twelve inches in height. In cases where the building is not located within view of the public street, the identifier must be located on the mailbox or other suitable device such that it is visible from the street.

24.02.04 Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger, to prohibit access to the property either generally or specifically, or display required information, the owner may comply with the federal, state or local law to exercise that authority by posting a sign on the property. Size limitations shall be 9 (nine) square feet.

- 24.02.05 The signs described in subsections 24.02.01 through 24.02.04, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.
- 24.02.06 Parking signs. Signs for public and private parking shall be permitted. Such signs shall be subject to a three-foot setback from right-of-way. Signs shall be at least seven (7) from top of curb elevation to bottom of sign and no greater than six (6) square feet in area. Such signs shall be installed so as to not present a hazard to traffic entering or leaving the premises.
- 24.02.07 Private traffic direction signs. Signs directing traffic movement onto or within premises. The leading edge of such signs shall be a minimum of three (3) feet from any curb or traffic movement aisle, and the sign shall be no greater than three (3) feet in height, and no greater than six (6) square feet in area in the R-4, R-6, C-1, C-2, C-3 and B-1 primary zoning districts. In the I-1 and I-2 primary zoning districts, such signs shall be no greater than six (6) feet in height and no greater than sixteen (16) square feet in area.
- 24.02.08 Interior Signs. Signs located on the interior of buildings, courts, lobbies, athletic fields, stadiums, or other structures (which may include fences) which are not intended to be seen from the exterior of said buildings or structures and are located at least three (3) feet from the window.

Sec. 10-704 Sign Permits.

Except as otherwise provided within this Article, it shall be unlawful for any person to erect, construct, enlarge, structurally alter or modify or relocate any sign within the jurisdiction of the Greenwood Advisory Plan Commission, or cause the same to be done, without first obtaining a sign permit.

24.03.01 Application for permit.

24.03.01.01 An application for a sign permit must be filed with the Department of Community Development Services on forms furnished by that department. The applicant must provide sufficient information to determine if the proposed sign is allowed under this Article and other applicable laws, regulations, and ordinances. An application for a temporary sign must state the dates intended for the erection and removal of the sign. Any sign permit application shall be accompanied by such information as may be required to assure compliance with the laws and regulations of the City.

24.03.01.02 Community Development Services must promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application, within ten (10) business days of the date of the application.

- 24.03.01.03 If the application is rejected, Community Development Services must provide a list of the reasons for the rejection in writing. An application must be rejected for non-compliance with the terms of this Article, the zoning ordinance, or other applicable law, regulation, or ordinance.
- 24.03.02 Permit fee. The application, including all required documentation, shall be filed with the Department of Community Development Services together with payment of a permit fee as adopted by the Greenwood Common Council in the Official Fee Schedule.
- 24.03.03 Duration and revocation of permit. If a permanent sign is not installed within three (3) years following the application date of a sign permit, the permit shall be void. The City may revoke a sign permit under any of the following circumstances:
- 24.03.03.01 The City determines that information in the application was materially false or misleading;
- 24.03.03.02 The sign as installed does not conform to the sign permit application;
- 24.03.03.03 The sign violates this Article, the Zoning Ordinance, Building Code, or other applicable law, regulation, or ordinance; or
- 24.03.03.04 Community Development Services determines that the sign is not being properly maintained or has been abandoned.
- 24.03.04 Permits not required. A sign permit is not required for signs:
- 24.03.04.01 Allowed in Section 10-703 above.
- 24.03.04.02 Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.
- 24.03.04.03 Small Temporary Residential District Signs allowed in Section 10-708, subsection 24.07.01 below (Maximum Sign Face Four (4) Square Feet).
- 24.03.04.04 Business, Commercial, Industrial, and Multi-Family District temporary signs allowed in Section 10-708, subsection 24.07.02.02 below.
- 24.03.04.05 Portable Signs allowed in Section 10-708, subsection 24.07.02 below (Maximum Sign Face Seven (7) Square Feet) .
- 24.03.04.06 Window signs allowed in Section 10-712, subsections 24.11.03.02 c. and 24.11.04.01 f., below.

- 24.03.05 Appeals. If the Code Enforcement Official denies a permit the applicant may appeal to the Board of Zoning Appeals per Indiana Code.

Sec. 10-705 General Regulations

24.04.01 Sign location.

- 24.04.01.01 No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.
- 24.04.01.02 No sign may occupy a sight triangle.
- 24.04.01.03 Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment. No sign shall be placed on utility easements or drainage easements as defined on recorded plats or site plans without the express consent of the Board of Public Works and Safety.
- 24.04.01.04 Ground or Pole Signs. All ground or pole signs shall be subject to a minimum setback from any street right of way of not less than ten (10) feet; and shall not be installed in a manner that obstructs vision of, or otherwise creates, a hazard to traffic entering or leaving the premises. Ground and pole signs shall be no closer to the rear and side property line than fifteen (15) feet.
- 24.04.01.05 Sign Materials & Construction: Every sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.

24.04.02 Sign Area.

- 24.04.02.01 The area of a sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.
- 24.04.02.02 Where the sign consists of individual letters, designs, or symbols attached to a building, awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all of the letters, designs, and symbols.
- 24.04.02.03 Signs may be double-sided.
- a. On-premises signs.

- i. Only one (1) side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than 18 inches apart.
 - ii. Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are not more than 18 inches apart, the larger sign face shall be used as the basis for calculating sign area.
 - iii. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.
- b. Off-premises signs.
- i. Only one (1) side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than five (5) feet apart.
 - ii. Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are not more than five (5) feet apart, the larger sign face shall be used as the basis for calculating sign area.
 - iii. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than five (5) feet apart, all sides of such sign shall be considered in calculating the sign area.
 - iv. Signs or advertising structures with more than two (2) faces shall be prohibited.

24.04.02.04 Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects, shall have a sign area of the sum of two adjacent vertical sign faces of the smallest cube encompassing the sign or object.

24.04.02.05 If elements of a sign are movable or flexible, such as a flag or banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.

24.04.03 Sign Height

24.04.03.01 Sign height shall be measured as the distance from the highest portion of the sign to grade level.

- 24.04.03.02 Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other structural elements.
- 24.04.04 Sign Spacing: The spacing between sign structures shall be measured as a straight-line distance between the closest edges of each sign.
- 24.04.05 Sign Illumination. Signs erected or maintained which, by use of lights or illumination, creates a distracting or hazardous condition to a motorist, pedestrian, the general public, or adjacent properties shall be prohibited. Light rays must shine only upon the sign and upon the property within the premises. In addition:
- 24.04.05.01 No more than 0.2 foot-candle of light shall be detectable at the boundary of any abutting property.
- 24.04.05.02 Hours of Operation: Signs within 300 feet of a residential area or mixed use area with residential may be illuminated from 5 am until 11 pm, or ½ hour past the close of business of the facility being identified or advertised, whichever is later.
- 24.04.05.03 Fluctuating or Flashing Illumination. No portion of any sign may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or in any manner that creates the illusion of movement.
- 24.04.06 Brightness: Message center signs and digital displays are subject to the following brightness limits:
- 24.04.06.01 Signs must not exceed a maximum illumination of 460 foot-candles during daylight hours and a maximum illumination of 46 foot-candles for the time period between one half hour before sunset and one half hour after sunrise as measured from the sign's face at maximum brightness, measured at grade level within 10 feet of the sign face.
- 24.04.06.02 Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.
- 24.04.07 Message Duration: The length of time each message may be displayed on a message center sign, digital display, or Tri-Vision Board sign shall have a minimum duration of eight (8) seconds and must be a static display.
- 24.04.08 Glare Control: Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.

Sec. 10-706 Regulations by Sign Type: On-Premises Signs

24.05.01 Wall Signs. No portion of a wall sign shall be mounted less than eight (8) feet above the finished grade or extend out more than twelve (12) inches from the building wall on which it is affixed. If the wall sign projects less than three (3) inches from the building wall on which it is affixed, the eight-foot height requirement need not be met.

24.05.02 Awning Signs.

24.05.02.01 An awning without lettering or other advertising shall not be regulated as a sign.

24.05.02.02 Awning signs must be centered within or over architectural elements such as windows or doors.

24.05.02.03 No awning sign shall be wider than the building wall or tenant space it identifies.

24.05.02.04 Sign Placement.

a. Letters or numerals shall be located only on the front and side vertical faces of the awning or canopy.

b. A logo or emblem is permitted on the top or angled portion of the awning or canopy up to a maximum of three square feet.

c. The maximum permitted sign area for an awning shall be as allowed in the underlying zoning district described in subsequent sections of this Article.

24.05.02.05 Sign Height. The lowest edge of the canopy or awning sign shall be at least eight (8) feet above the finished grade.

24.05.02.06 Awnings above the ground floor may be fixed, provided they do not project more than four (4) feet from the face of the building.

24.05.03 Projecting Signs.

24.05.03.01 No portion of a projecting sign shall project more than four (4) feet from the face of the building.

24.05.03.02 The outermost portion of a projecting sign shall project no closer than five (5) feet from a curblin or shoulder of a public street, with exception of projecting signs in the Old Town Commercial Historic District which are exempt from this requirement.

24.05.03.03 Sign Height. The lowest edge of a projecting sign shall be at least eight (8) feet above the finished grade.

24.05.04 Canopy/Marquee Signs.

- 24.05.04.01** Such signs shall be located only above the principal public entrance of a building facing a public street or parking lot.
- 24.05.04.02** No canopy/marquee shall be wider than the entrance it serves, plus two (2) feet on each side thereof.
- 24.05.04.03** No canopy/marquee shall extend closer to the street curb than three (3) feet.
- 24.05.04.04** Sign Height.
 - a. No portion of a canopy/marquee sign shall extend vertically above the eaveline.
 - b. The lowest edge of the canopy/marquee sign shall be at least ten (10) feet above the finished grade.

24.05.05 Freestanding Signs.

- 24.05.05.01** Pole Sign. Such signs shall have a minimum height of nine (9) feet from grade level to the bottom of the sign and a maximum height of thirty-five (35) feet from grade level to the top of the sign, unless otherwise restricted by an overlay district.
- 24.05.05.02** Ground Signs. Such signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme and a maximum height of eight (8) feet from grade level to the top of the sign

24.05.05.03 Sign Placement.

- a. All freestanding signs shall be set back ten (10) feet from the right-of-way, except for Government/Regulatory signs.
- b. No freestanding sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, easement, cartway of the right-of-way or other areas required to remain unobstructed.

24.05.06 Manual Changeable Copy Signs: Manual changeable copy signs are permitted only when integrated into a freestanding, marquee, wall, portable, or temporary sign.

Sec. 10-707 Regulations by Sign Type: Off Premises Signs

The purpose of this section is to control and regulate off-premises signage visible along interstate highways located within the jurisdiction of the Greenwood Advisory Plan Commission in a manner

that is fair and equitable, and in compliance with state and federal regulation of interstate signs. These regulations serve the compelling governmental interests of preserving and maintaining the scenic and aesthetic environment so as to protect and promote the tourist industry and the quality of life of the City's residents and visitors; of improving safety for local and visiting motorists by reducing the negative distracting influence of uncontrolled off-premise signs, and of minimizing possible adverse effects of off-premise signs on nearby public and private property.

24.06.01 Permitted locations.

24.06.01.01 Outdoor advertising structures and signs are permitted along an interstate highway where the site is zoned commercially or industrially, and

- a. Not attached to the external wall or otherwise affixed to any part of any building and shall
- b. Not extend over any public property or right-of-way.
- c. Not located on sewer or drainage easements or rights-of-way, or water, electric, or petroleum pipelines or easements without written consent of the Board of Public Works and Safety or the appropriate utility company.
- d. Not located on a bridge.

24.06.02 Size and height restrictions.

Type	Minimum Setback	Minimum Height	Maximum Height	Maximum Face Area	Permitted Location
Billboard	20'	12'	40'	750 sq. ft.*	On or Off Premise
High-Rise	65'	50'	85'	550 sq. ft.	On Premises ONLY

* includes extensions

On back-to-back or "V-ed" double-faced sign structures, the maximum face area shall be permitted for each face. Signs or advertising structures with more than two (2) faces shall be prohibited.

Minimum and maximum heights shall be measured from the grade level at the base of the sign.

24.06.03 Minimum proximity.

24.06.03.01 There shall be a minimum spacing of one thousand (1,000) feet between any type of off-premise outdoor highway advertising structures and signs on each side of the interstate highway.

24.06.03.02 No off-premises billboard shall be allowed within five hundred (500) feet of an interchange. Said five hundred (500) feet to be measured along the interstate from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way. This five hundred (500) foot prohibition does not apply to on premise signs which otherwise meet the requirements of this Article.

24.06.03.03 Vertically or horizontally stacked signs shall not be permitted.

24.06.04 Structure specifications.

24.06.01.01 All pole and structural members shall be of steel. All billboard type signs shall be mounted on single-pole or I-beam structures. High-rise type signs may be erected on one or more steel support structures. All members shall be painted.

24.06.01.02 All frames surrounding poster or bulletin signs shall be of painted metal, rough sawn cedar, or of a framing material of equivalent quality.

24.06.01.03 Each sign structure shall have the name, address, and telephone number of the owner posted thereon. On sign structures utilizing electricity for illumination and so forth, the sign structure shall feature Underwriter's Laboratory approval of said installation.

24.06.01.04 A sign may be mounted with two (2) faces back-to-back (or "V-ed") at an angle not to exceed sixty (60) degrees.

24.06.01.05 When a structure is constructed in such a manner as to have copy material facing in a single direction, the exposed rear of the sign and the structural members shall be finished and maintained to a degree equal to that of the copy side of the sign.

24.06.01.06 Landscaping shall be provided and maintained at the base of all off-premises signs. Trees and shrubbery, including evergreen and flowering trees, of sufficient and appropriate species, size and quantity shall be used to achieve the purpose of this Article.

24.06.01.07 Trees greater than four (4) inches in diameter removed for construction of the sign shall be replaced on-site at a ratio of one (1) replacement tree for each removed tree using native species no less than three (3) inches in diameter.

Sec. 10-708 Regulations by Sign Type: Temporary Signs

24.07.01 Small Temporary Residential District Signs (Sign Face no Larger than 4 Square Feet)

24.07.01.01 Small temporary residential signs allowed at any time: A residential property owner may place one temporary sign with a sign face no larger than four (4) square feet on residential property at any time unless otherwise provided herein.

24.07.01.02 During the 50 day period between November 20 to January 10, a residential property owner may place an unlimited number of additional temporary signs on the residential property and may use lights as measured at the property line to

decorate the residential property even if the lights might be arranged to form a sign.

- 24.07.01.03 The sign face of any small temporary residential sign, unless otherwise limited in this Article must not be larger than four (4) square feet.

24.07.02 Business, Commercial, Industrial and Multi-Family District Temporary Signs

- 24.07.02.01 Temporary sign limitations: A business, commercial, industrial, or multi-family property owner may place no more than one temporary sign with a sign face no larger than thirty-two (32) square feet on display on the property at a time, except as permitted in subsection 24.07.02.02, below A temporary sign may be displayed for a period up to fifteen (15) days no more than six (6) times per calendar year.
- 24.07.02.02 A property owner may place an additional temporary sign on business, commercial, industrial and multi-family property during the period of time the property is for sale or lease provided the sign is removed within seven (7) days of sale or lease.
- 24.07.02.03 Sign Permit required. A temporary sign permit is required for each temporary sign displayed, except signs displayed pursuant to subsection 24.07.02.02 The temporary sign permit shall expire fifteen (15) days from the date of issuance; however, should the applicant specify an alternate commencement date, the duration of sign display shall not exceed fifteen (15) consecutive days.
- 24.07.02.04 For purposes of this Section, the tenant of a property is considered the owner of the property leased. If there are multiple tenants of a property, each tenant is considered the owner of the portion of property he/she/it leases.
- 24.07.02.05 All temporary signs must be installed in such a way that they do not create a safety hazard.
- 24.07.02.06 All temporary signs must be made of durable materials and shall be well maintained.
- 24.07.02.07 Illumination of temporary signs is prohibited.

Sec. 10-709 Regulations by Sign Type: Portable Sidewalk/A-Frame Board Signs

- 24.08.01 Illumination: Illumination of any portable sidewalk/A-frame board sign (hereafter "sign or "signs") is prohibited.

24.08.02 Hours of Display.

24.08.02.01 Signs shall not be displayed on any premises before 6:00 AM and shall be removed each day at or before 11:00 PM. However, all portable signs must be taken in during hours of non-operation of the property in which they are placed.

24.08.02.02 All portable signs must be taken in during inclement weather.

24.08.03 Area: Each sign shall have a maximum area of seven (7) sq. ft. per sign face.

24.08.04 Height: Signs shall have a maximum height of three and one-half (3.5) feet.

24.08.05 Sign Placement.

24.08.05.01 If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and any building or other obstruction.

24.08.05.02 The sign must be located on the premises and within 12 feet of the primary public entrance but may not cause a hazard to pedestrians or drivers. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking lot.

24.08.05.03 Portable signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.

24.08.06 Manual Changeable Copy. Manual changeable copy signs are permitted when integrated into a sidewalk/A-frame board sign.

Sec. 10-710 Regulations by Sign Type: Banners, Street Pole Banners, Pole Banners, and Flags

24.09.01 Banners

24.09.01.01 Banners shall be prohibited unless utilized as a temporary wall sign or utilized as a Pole Banner Sign or Street Pole Banner Sign. Banners shall not be used as a freestanding sign or as a component thereof, except in the case of the aforementioned Pole Banner Sign/Street Pole Banner Sign.

24.09.01.02 A banner may be used as a temporary wall sign provided the length of time for which the banner is used shall not exceed ninety (90) days or the date that the permanent wall sign is installed, whichever occurs first.

24.09.01.03 The maximum permitted sign area for a banner shall be twenty-five percent (25%) of that permitted for a wall sign in the underlying zoning district as described in the relevant sections of this Article. A temporary sign permit shall be required.

24.09.02 Street Pole Banners

24.09.02.01 Illumination: Illumination of any street pole banner is prohibited.

24.09.02.02 Area: Each street pole banner shall have a maximum area of 18 square feet and a maximum width of () three (3) feet. Up to two (2) street pole banners are permitted per street pole.

24.09.02.03 Height

- a. When the street pole banner's edge is less than 18 inches from the curb, the lowest edge of the Street Pole Banner shall be at least 14 feet above the finished grade.
- b. When the street pole banner's edge is greater than 18 inches from the curb, the lowest edge of the street pole banner shall be at least eight (8) feet above the finished grade.

24.09.02.04 Location.

- a. No street pole banner shall extend beyond the curbline.
- b. Street pole banners shall maintain a minimum of three (3) foot vertical clearance below any luminaries located on the pole measured from where the ballasts connect to the poles.
- c. Street pole banners shall not interfere with the visibility of traffic signals or signs.
- d. No street pole banner shall be located on a pole that has traffic or pedestrian control signals.
- e. Off-premise street pole banners are permitted within downtown Greenwood on Main Street between U.S. 31 and Polk Street and on Madison Avenue between Smith Valley and Fry Roads.

24.09.02.05 Installation and Maintenance.

- a. All street pole banners must be made of lightweight and durable fabrics with wind slits.
- b. Street pole banners that are frayed, torn, or faded so that they are no longer legible will be deemed unmaintained and will be required to be removed.

24.09.03 Pole Banners

- 24.09.03.01** Illumination: Illumination of any pole banner is prohibited.
- 24.09.03.02** Area: Each pole banner shall have a maximum area of 24 square feet and a maximum width of four (4) feet. Up to two (2) pole banners are permitted per light pole.
- 24.09.03.03** Height. The lowest edge of a pole banner shall be at least eight (8) feet above the finished grade.
- 24.09.03.04** Location.
- a. Pole banners shall maintain a minimum of three (3) foot vertical clearance below any luminaries located on the pole measured from where the ballasts connect to the poles.
 - b. Pole banners shall not interfere with the visibility of traffic signals or signs.
- 24.09.03.05** Installation and Maintenance.
- a. All pole banners must be made of lightweight and durable fabrics with wind slits.
 - b. Pole banners that are frayed, torn, or faded so that they are no longer legible will be deemed unmaintained and will be required to be removed.

24.09.04 Flags

- 24.09.04.01** Single-family Zoning Districts. In a single-family zoning district, four (4) flags per premises shall be permitted at a maximum of 25 feet in height. Flag size shall be limited to 40 (forty) square feet.
- 24.09.04.02** Nonresidential and Multi-Family Zoning Districts. In a non-residential zoning district or multi-family residential zoning district, , one (1) flag per twenty-five (25) feet of street frontage up to a maximum of ten (10) flags per premises. Poles shall be located no closer than ten (10) feet from any right-of-way or private street. Height of poles shall be no more than fifty (50) feet. Flag size shall be limited to 96 (ninety-six) square feet.

Sec. 10-711 Regulations by Sign Type: Digital/Electronic Variable Message (EVMS) Signs

- 24.10.01** Where permitted. EVMS shall be permitted as a component of a sign for any freestanding use or integrated center.

- 24.10.02 Permitted sign types. EVMS shall be permitted as a component of any pole or ground sign for freestanding uses or integrated centers. In addition, EVMS shall also be permitted as a component of wall signs.
- 24.10.03 Amount of a sign that can contain an EVMS. The portion of a sign dedicated for an EVMS shall not exceed forty (40%) percent of the sign size.
- 24.10.04 Distance separation from a signalized intersection. No sign containing an EVMS as a component shall be located within one hundred twenty-five (125) feet of any signalized intersection of two (2) or more streets. The distance shall be measured from the point where the existing right-of-way lines of the intersecting streets meet. In a case where rounded or cut property corner exists, this measurement shall be taken from the point of the intersection of the existing rights-of-way lines, as extended. The distance shall be measured along the right-of-way line from the point of intersection.
- 24.10.05 Distance separation from a residential use. EVMS shall not be located within three-hundred (300) feet of any residential use. Any EVMS that is located within three hundred (300) feet of any residential use must automatically turn off between the hours of 11:00 p.m. and 6:00 a.m. daily
- 24.10.06 Transition. In all districts where the full sign image or any portion thereof changes, the change sequence must be accomplished by means of fading, dissolving, scrolling or traveling, and be completed in no less than 1 second but no more than 2.0 seconds.
- 24.10.07 Video Display. No portion of any sign may change its message or background in a manner or by a method of display characterized by motion or pictorial imagery, or depicts action or a special effect to imitate movement, or the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion or the illusion of moving objects, moving patterns or bands of light or expanding or contracting shapes
- 24.10.08 EVMS shall be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction
- 24.10.09 Portable or temporary EVMS shall be prohibited.

Sec. 10-712 Specific Sign Regulations by Zoning District

The following sign standards by districts are intended to include every zone district within the jurisdiction of the City of Greenwood. The zones are as defined in the zoning ordinance and official zone map.

24.11.01 Residential Zoning Districts - Light Living Densities

The following sign regulations shall apply to the following zoning districts: AG, SF, R-1, R-2, R-2A, and R-2B Residential (Light Living Densities).

24.11.01.01 Sign Types Prohibited. The following sign types are prohibited in Light Residential Zoning Districts unless permitted by special exception from the Board of Zoning Appeals:

- a. Wall Signs
- b. Canopy or Awning Signs
- c. Projecting Signs
- d. Window Signs
- e. Marquee Signs
- f. Portable Signs
- g. Banner
- h. Digital/EVMS Signs

24.11.01.02 Number and Type of Signs Permitted. The following types of signs are permitted in Light Residential Density Zoning Districts:

- a. One permanent Freestanding Sign not exceeding a combined area of four (4) square feet in area per residential parcel is permitted. Said sign shall not be subject to the permit requirements of this Article. Freestanding Signs are subject to the requirements of Section 10-706, subsection 24.05.05.
- b. A maximum of four (4) pole banner or street pole banner signs for show models in newly constructed subdivisions shall be permitted per single-family residential access to an arterial street. The maximum sign surface area per pole banner sign shall not exceed twenty-four (24) square feet in area. Pole Banners Signs are subject to the requirements of Section 10-710, subsections 24.11.01 and 24.11.02.
- c. Two permanent Freestanding Identification Signs, the face of which cannot exceed thirty-two (32) square feet in area, are permitted at the entrance of single family subdivisions and must be placed at least ten (10) feet from any street right of way. For each additional foot (beyond 10) that the setback distance is increased, the face area of the signs may be increased by one square foot; up to a maximum allowable size of one hundred (100) square feet. Freestanding Identification Signs are subject to the requirements of Section 10-706, subsection 24.05.05.

- d. Four flags per parcel are permitted subject to the requirements of Section 10-710, subsection 24.09.04.
- e. Temporary signs are permitted subject to the requirements of Section 10-708.

24.11.01.03 Location of Signs

- a. All signs shall be placed a minimum of ten (10) feet from any street right-of-way.
- b. The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet from grade level.

24.11.02 *Residential Zoning Districts - Medium & Heavy Living Densities*

The following sign regulations shall apply to the following zoning districts: R-3 & R-4 Residential (Medium & Heavy Living Densities)

24.11.02.01 The R-3 and R-4 residential sign regulations shall also apply to multi-family projects located in any other zoning district, including B-1, C-1, C-2, C-3, I-1 and I-2.

24.11.02.02 Sign Types Prohibited. The following sign types are prohibited in Medium and Heavy Residential Zoning Districts unless permitted by a special exception granted by the Board of Zoning Appeals:

- a. Window Signs
- b. Marquee Signs
- c. Portable Signs
- d. Banners
- e. Digital/EVMS Signs.

24.11.02.03 Number and Type of Signs Permitted.

- a. Parcels are permitted one permanent sign that may be a Wall Sign, Canopy or Awning Sign, Projecting Sign, or Freestanding Sign subject to the requirements of Section 10-706, subsections 24.05.01, 24.05.02, 24.05.03, and 24.05.05.
- b. A maximum of four (4) pole banner or street pole banner signs shall be permitted per multiple-family project or single-family residential access to

an arterial street. The maximum sign surface area per pole banner sign shall not exceed twenty-four (24) square feet in area. Pole Banners Signs are subject to the requirements of Section 10-710, subsections 24.09.02 and 24.09.03

- c. Temporary signs are permitted pursuant to the requirements of Section 10-708.

24.11.02.04 One flag per twenty-five (25) feet of street frontage up to a maximum of ten flags per premises is permitted subject to the requirements of Section 10-710, subsection 24.09.04.

24.11.02.05 Location

- a. A maximum of two Permanent Identification Signs for a single-family or two-family subdivision or for a multi-family project shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area. Excepting, however, for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot; up to a maximum allowable size of one hundred (100) square feet.
- b. Building-mounted signs shall be flush mounted. There shall be no projection of any sign above the roof line.
- c. The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet from grade level.
- d. Signage on an awning or canopy shall be considered part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed. An Awning Sign and Canopy Sign are subject to the requirements of Section 10-706, subsections 24.05.02 and 24.05.04, as applicable.

24.11.03 Business Zoning Districts

The following sign regulations shall apply to the following zoning districts: B-1 (Business Uses).

24.11.03.01 Prohibited Sign Types.

- a. Marquee Signs
- b. Portable Signs
- c. Banners

d. Pole Signs

24.11.03.02 Number and Type of Signs Permitted.

a. Freestanding Sign.

- i. Limit of One. One Freestanding ground sign shall be permitted for each business parcel. Such ground sign may be illuminated. A non-digital/EVMS sign shall be illuminated in accordance with Section 10-705, subsection 24.04.05, if adjoining a residential use. A freestanding ground digital/EVMS sign shall be subject to the requirements of Section 10-711.
 - ii. Height. The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet.
 - iii. Size and Location. A ground sign shall be placed a minimum distance of ten (10) feet from any street right-of-way. The face of any such sign shall not exceed thirty-two (32) square feet in area.
 - iv. Freestanding signs shall be subject to the requirements of Section 10-706, subsection 24.05.05.
 - v. Freestanding signs may be Digital/EVMS subject to the requirements of Section 10-711.
- b. Wall Signs. Wall signs shall be permitted on each building. Total sign area shall be one and one-half square feet for each lineal foot of building frontage; however, in no instance shall such signage exceed one-hundred (100) square feet for a single business. The face area may be increased by seventy-five (75) percent if the sign is for two (2) or three (3) businesses, and may be increased by one hundred (100) percent if the sign is for more than three (3) businesses. Wall Signs shall be subject to the requirements of Section 10-706, subsection 24.05.01.
- c. Signage on an awning or canopy shall be considered part of the wall signage for that wall of the building and shall be included when calculating maximum square footage allowed. An Awning Sign or Canopy Sign are subject to the requirements of Section 10-706, subsections 24.05.02 and 24.05.04, as applicable.
- d. Window Signs. A maximum of 10% of the total window area of any single business may be covered by a sign.

- e. Temporary signs are permitted pursuant to the requirements of Section 10-708.
- f. One flag per twenty-five (25) feet of street frontage up to a maximum of ten (10) flags per premises is permitted subject to the requirements of Section 10-710, subsection 24.09.04.

24.11.04 Commercial, Recreational Open Space and Industrial Zoning Districts.

The following sign regulations shall apply to all zones designated by the zoning ordinance as C-1, C-2, C-3, ROS, I-1, and I-2, Neighborhood Shopping, Tourist Commercial, General Commercial, Industrial and Planned Industrial Uses except for multi-family projects which must comply with R-3 and R-4 regulations even if said multi-family projects are located within commercial or industrial primary zoning districts.

24.11.04.01 Number and Type of Signs Permitted.

- a. Freestanding Signs.
 - i. Each freestanding building may have one (1) ground sign or one (1) pole sign (but not both). Such sign shall not exceed one hundred (100) square feet in area (except as permitted in below) and a pole sign shall not exceed thirty-five (35) feet in height as measured from street grade.
 - ii. Freestanding Buildings located at Strip and Enclosed Mall Shopping Centers, or within an Integrated Commercial Subdivision may have one (1) ground sign for each free-standing building at a strip or enclosed mall shopping center. Ground signs shall not exceed eight (8) feet in height. Said sign shall not exceed one-hundred (100) square feet of sign face area. Said Sign shall not be placed within any sight triangle created by the intersection of public streets.
 - iii. Strip shopping centers may have one (1) pole banner sign permitted per five (5) poles up to a maximum of eight (8) pole banner signs. Such sign shall have a maximum surface area not exceeding twenty-four (24) square feet; except as otherwise permitted below.
 - iv. Where a strip shopping center or commercial subdivision has in excess of three hundred (300) feet of street frontage, one additional freestanding sign may permitted. Where a strip shopping center or commercial subdivision is authorized to have more than one free standing sign, the distance between each sign shall be not less than two hundred (200) feet.
 - v. Enclosed Mall Shopping Centers may have one (1) pole sign along each street or highway right-of-way abutting such enclosed mall

shopping center. Such sign shall have a maximum surface area not exceeding three hundred (300) square feet. Such sign shall not exceed thirty-five (35) feet in height;

- vi. Where an enclosed mall shopping center has in excess of six hundred (600) feet of street frontage along any given street or highway right-of way, one (1) additional free standing pole sign may be permitted provided that the distance between such signs along such street or highway right-of-way shall be not less than five hundred (500) feet.
- vii. An Industrial Park is permitted one (1) ground sign for each street frontage. Where the park or subdivision has in excess of five-hundred (500) feet of street frontage, additional signs may be permitted provided such signs are spaced at least five-hundred (500) feet apart or located at separate street entrances to the park or subdivision.
- viii. One ground or pole sign identifying the occupancy of an industrial building or facility shall be permitted for each street frontage of a parcel or lot. Such sign shall be on the same site as the identified occupancy.
- ix. Signs permitted in subsections g. and h. for industrial uses shall meet the following requirements:
 - 1. Maximum sign area of the sign shall not exceed two hundred (200) square feet;
 - 2. Maximum height of the sign shall not exceed twenty-five (25) feet;
 - 3. Minimum front yard setback distance from the street right-of-way shall be ten (10) feet;
 - 4. Minimum side or rear yard setback distance from property line shall be fifteen (15) feet;
- x. Freestanding signs may be illuminated in accordance with Section 10-705, subsection 24.04.05.
- xi. Such freestanding signs are subject to the requirements of Section 10-706, subsection 24.05.05.

b. Wall Signs

Wall signs for freestanding buildings, strip commercial centers, and commercial subdivisions shall meet the following requirements:

- i. One marquee sign shall be permitted per building.
 - ii. The total area of signs on a single marquee structure shall not exceed 200 square feet in area.
 - iii. Signs shall have a maximum height equal to the eave line.
 - iv. Signs may be illuminated in accordance with Section 10-705, subsection 24.04.05.
 - v. Such marquee signs are subject to the requirements of Section 10-706, subsection 24.05.04.
- h. Temporary Signs.
- Temporary signs are permitted pursuant to the requirements of Section 10-708.
- i. Flags.
- One flag per twenty-five (25) feet of street frontage up to a maximum of ten (10) flags per premises is permitted subject to the requirements of Section 10-710, subsection 24.09.04.
- j. Signs Advertising More Than One Business. Signs advertising more than one business shall be permitted subject to the following:
- i. If two (2) or three (3) businesses are served, the maximum permitted sign area shall be increased to an area no greater than seventy-five (75) percent larger than the total area permitted for a single business.
 - ii. If more than three (3) businesses are served by such advertising, the total area shall be increased to no more than double the area permitted for a single business.
- k. In no instance shall a sign exceed four hundred (400) square feet on any face.

Sec. 10-713 Nonconformity and Modification

- 24.12.01 Signs lawfully in existence on the date the provisions of this Article were first advertised, which do not conform to the provisions of this Article, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed or maintained must be regarded as nonconforming.

- 24.12.02 All nonconforming signs shall be kept in good repair, safe, neat, clean and attractive condition. In the event signs are not kept in said condition or are demolished by any force whatsoever to the extent of fifty (50) percent of their surface area or the structure of the sign is destroyed, said signs shall then conform to this Article.
- 24.12.03 Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this Article. Nothing in this Article shall be construed to give a legal status to any sign without a sign permit.
- 24.12.04 All illegal signs existing at the time of enactment of this Article shall be removed. Illegal signs are those which do not have a valid permit, or do not qualify as nonconforming under prior Ordinance 69-12.

Sec. 10-714 Enforcement

- 24.13.01 The Planning Director is hereby authorized and directed to enforce all the provisions of this Article. Upon presentation of proper credentials, the Planning Director and/or his/her duly authorized representative(s) may enter in and upon, at reasonable times, any building, structure, property and/or premises in the City of Greenwood to perform any duty imposed upon him/her by this Article.
- 24.13.02 Interpretation. Where there is any ambiguity or dispute concerning the interpretation of this Article, the decision of the Planning Director shall prevail, subject to appeal as provided herein.
- 24.13.03 Right to appeal. Any person aggrieved by any decision or order of the Planning Director may appeal to the Greenwood Board of Zoning Appeals. The Planning Director shall take no further action on the matter pending the Board's decision, except for unsafe signs which present an immediate and serious danger to the public, as provided elsewhere in this Article.
- 24.13.04 Penalties. Any person who violates this Article shall be subject to the enforcement procedures and penalties for civil zoning violations set forth in Article 8, Sec. 10-137. 8.10.01.
- 24.13.05 Civil Remedies. The Board of Zoning Appeals of the City of Greenwood, Johnson County, Indiana, or any enforcement official designated by this Article, may institute a suit for an injunction in the appropriate court of jurisdiction to restrain an individual or a governmental unit from violating this Article. The Board of Zoning Appeals, the Greenwood Advisory Plan Commission or any designated enforcement official may also institute a suit for mandatory injunction directing an individual or governmental unit to remove a structure erected in violation of this Article. A suit for mandatory injunction is an additional remedy which does not preclude any designated enforcement officials from utilizing any and all other statutory remedies available to the City of Greenwood for the enforcement of city ordinances.

- 24.13.06 Removal of sign. The Planning Director may order the removal of any sign erected or maintained in violation of this Article. He/she shall give thirty (30) days notice in writing to the owner of a permanent sign, or place a notice of such violation on the building, structure, property or sign in violation, to remove the sign or to bring it into compliance within 30 days of the notification. He/she shall give a three (3) day notice for temporary or portable signs. The Planning Director or his/her agent may remove a sign immediately and without notice if, in his/her opinion, and with the consent of the Director the Department of Community Development Services, the condition of the sign is such as to present an immediate threat to the safety of the public. Any sign removed by the Planning Director and/or his/her agent, pursuant to the provisions of this section, shall be held by the City for redemption by the owner, unless the sign was removed from the public right-of-way. To redeem, the owner shall pay all costs incurred by the City for removal. Should said sign not be redeemed within thirty (30) days of its removal, it may be disposed of in any manner deemed appropriate by the City. The cost of removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and owner of the property, and may be recovered in an appropriate court action by the City. The cost of removal shall include any and all incidental expenses incurred by the City in connection with the sign's removal. Signs removed from the public right-of-way shall be considered abandoned and disposed of immediately.
- 24.13.07 Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition, including landscaping around ground signs which shall be maintained so that the sign may be visible at all times and from all visual angles. Legally established signs, which were either located prior to the requirement for a sign permit or were the subject of a permit and the permit records have been subsequently destroyed, shall also be considered in violation of this provision of the Ordinance and enforcement proceedings may be initiated to compel appropriate maintenance to comply with these requirements.
- 24.13.08 Abandoned signs. A sign, including any accessory sign structure, equipment and lighting fixtures, shall be removed by the owner or lessee of the premises upon which the sign is located when the business is no longer conducted on the premises; unless, however, it is possible to remove only a sign panel (such as in the case of a box sign), then the insertion of a blank, translucent panel shall be considered removal under this Article. If the owner or lessee fails to remove it, the Planning Director shall give the owner ten (10) days written notice to remove it (except in the cases of signs abandoned in the public right-of-way which shall be removed and disposed of immediately). Upon failure to comply with this notice, the Planning Director or his/her duly authorized representative may remove the sign at cost to the owner. Where a successor to a defunct business agrees to maintain the sign(s) as provided in this Article, this removal requirement shall not apply. The new sign user shall forthwith notify the Planning Director's office, in writing, of this change. No new sign permit is required, unless the sign is altered or relocated. The Planning Director shall be notified in any matters relating to sign relocations.